## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			17-Sep-07	APPL. S. N:	10619116
To Exami	ner:		POPE, DARYL C.	Art Unit	2612
From			Ward, Karen PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68
SUBJECT	<b>r:</b> Decisio	n on Terminal	Disclaimer(T.D.) filed:		
form para or have a	agraphs io iny quest	dentified by thi ions, please se	is informal memo in your next O e me or the Special Program Ex	sults as set forth below. If you ag Iffice action to notify applicant of aminer. THIS IS AN INFORMAL, II RECORD IN THE APPLICATION FIL	the T.D. If you disagree NTERNAL MEMO ONLY.
please in	itial, date	and return thi	is memo to me. THANK YOU.		
Image: section of the	The T.D.	is PROPER and	d has been recorded (see 14.23)		
	The T.D.	is NOT PROPE	R and has not been accepted for	the reason(s) checked below (se	e 14.24):
		The TD fee of use of a depos		d nor is there any authorization in	n the application file for the
		his/her interes		person who has signed the T.D. I rest of the business entity represe D1).	
	Γ.		the enforceable only during coing rejection, Rule 321(b) (see 3	mmon ownership clause – needed 14.27.01).	to overcome a non-statutory
				hich is not acceptable since "the granted" (MPEP 1490) (see 14.26	
		The person wi	ho signed the T.D.:		
		is no	ot an attorney "of record" (see 1	4.29 and 14.29.01).	
		has	failed to state his/her capacity to	o sign for the business entity (see	: 14.28).
		is no	ot recognized as an officer of the	assignee (see 14.29 & possible 1	.4.29.02).
	Γ.	nor is the reel (see 37 CFR 3	l and frame number specified as 3.73(b) and 1140 O.G. 72). NOT	om the original inventor(s) to ass to where such evidence is record E: This documentary evidence or a separate paper of record in the	ed in the Office the specifying of the reel and
	Г	The T.D. is no	t signed (see 14.26 & 14.26.03)	).	
			nber of the application (or the nection is missing or incorrect (see	umber of the patent) which forms e 14.32).	the basis for the double
			nber of this application (or the n missing or incorrect (see 14.26,	umber of the patent in reexam or 14.27.02 or 14.26.05).	reissue cases being
		The period dis	sclaimed is incorrect or not speci	fied (see 14.26, 14.27.02 or 14.2	·(6.03).
		Other:			11-37
	Γ	Suggestion to and do not ch		TE: If already authorized, credit i	refund to deposit account
I have ap	propriate	ly notified app	licant(s) of the status of the Ter	minal Disclaimer filed in this case	•
Ex.Initial	s:	Date	:		Log Date:

Application Number		Application/Control No.		Applicant(s)/Patent under Reexamination SCHUETTE, KAI H.					
Document Code - DISQ	Internal Doc			OC	cument – DO NOT MAIL				
TERMINAL DISCLAIMER	⊠ APPROVED		☐ DISAPPROVED						
Date Filed : September 5, 2007	•	to a Te	t is subject erminal aimer	t					
Approved/Disapproved b			· · · · · · · · · · · · · · · · · · ·						

U.S. Patent and Trademark Office

Henry D. Jefferson

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING **REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional) 2162C-00003/COB

In re Application of: Kai H. Schuette

Application No. 10/619,116

Filed: July 14, 2003

For: DIGITAL CAMERA VALET GATE

0 5 2007

For: DIGITAL CAMERA VALET GATE 7.

The owner\*. CVPS, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,630,893 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

expires for failure to pay a maintenance fee;

is held unenforceable;

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued: or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. 🔲	For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency
	etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2 🔯	The undersigned is an attorney of record.	Rea No	40 344

September 5, 2007

Signature

Date

Bryant E. Wade

Typed or printed name

(248) 641-1600

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA22313-1450.

HDP/SB/17 (01-07)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMIPTAL &		Complete if Known	<u> </u>
	Application Number	10/619,116	
for FY 2007 <sub>SEP 0 5 2007</sub>	Filing Date	July 14, 2003	_
84	First Named Inventor	Kai H. Schuette	
	Examiner Name	Pope, Daryl C	_
Applicant claims small entity status. See 37, CER 127	Art Unit	2612	_
TOTAL AMOUNT OF PAYMENT (\$) 390	Attorney Docket No.	2162C-000003/COB	_
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
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METHOD OF PAYMENT (check all that apply)						FEE CALCULATION (continued)								
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The Director is authorized to: (check all that apply) ☐ Charge fee(s) indicated below ☑ Credit any overpayments							1,84	40*	1805	1,840*	Requesting publi Examiner action	lication of SIR aft	ter	
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SUBMITTED BY			-	1	Registration No.		- т				Com	plete <i>(if applicable</i> I	9)	
Name (Print/Type) Bryant E. Wade (Artorney/Agent)					40.344 Telephone 248 641 1600									

SUBMITTED BY Complete (if applicable)									
Name (Print/Type)	Bryant E. Wade	Registration No. (Attorney/Agent)	40,344	Telephone	248 641 1600				
Signature	1 Contract	17. Whale		Date	September 5, 2007				